

**Notice of Allowability**

Application No.

09/976,326

Applicant(s)

MALLOY DESORMEAUX,  
STEPHEN G.

Examiner

Kelly L. Jerabek

Art Unit

2612

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 8/15/2005.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|   | 9. <input type="checkbox"/> Other _____   |

## **DETAILED ACTION**

### ***Allowable Subject Matter***

#### **Claims 1-20 allowed.**

The following is a statement of reasons for the indication of allowable subject matter: the prior art of record fail to anticipate or render obvious the following technical features as recited in the highlighted claims:

Re claims 1-8 and 10-11, the prior art fails to teach or suggest "A method for handling images in a hybrid camera comprising the steps of capturing a plurality of image pairs, each pair having an archival image having a first aspect ratio and an initial electronic image, storing the initial electronic images, recording a designation of an alternative aspect ratio, changing the initial electronic images to the alternative aspect ratios to provide re-formatted electronic images without reduction in image density and downloading the re-formatted electronic images".

Re claims 12-17, the prior art fails to teach or suggest "A method for handling images in a hybrid camera comprising the steps of capturing a plurality of image pairs, each pair having a latent image of a scene on photographic film having a first aspect ratio and an initial electronic image, storing the initial electronic images, assigning one

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of a plurality of aspect ratios formats to each image pair, re-formatting the initial electronic images to respective aspect ratios to provide re-formatted electronic images without any reduction in image density and downloading the re-formatted electronic images".

Re claims 18-20, the prior art fails to teach or suggest "A hybrid camera for use with a film unit, the camera comprising a body; an archival capture unit for selectively capturing archival images in the film unit; a designator selectively switchable among a plurality of different aspect ratios to define a selected aspect ratio for each archival image; a film writer writing designation of aspect ratios to the film unit in association with the archival images; an electronic capture unit capturing initial electronic images being in a first aspect ratio corresponding to the archival images; memory storing the electronic images; a controller for re-formatting the initial electronic images to the selected aspect ratios of the archival images to provide re-formatted electronic images without any reduction in image density; and a communications port to download the re-formatted electronic images".

Re claim 9, the prior art fails to teach or suggest "A method of handling images in a hybrid camera comprising capturing a plurality of image pairs, storing initial electronic images, recording a designation of an alternative geometric format, formatting the electronic images and downloading the formatted images, wherein the electronic

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images are deleted from memory concurrent with the downloading of the reformatted electronic images".

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Contacts***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kelly L. Jerabek whose telephone number is (571) 272-7312. The examiner can normally be reached on Monday - Friday (8:00 AM - 5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached at (571) 272-<sup>7253</sup>~~7654~~. The fax phone number for submitting all Official communications is (571) 273-8300. The fax phone number for submitting informal communications such as drafts, proposed amendments, etc., may be faxed directly to the Examiner at (571) 273-7312.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KLJ



THANH TRAN  
PRIMARY EXAMINER